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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>701826-056360</b>
INTERNATIONAL APPLICATION NO. <b>PCT/CA2003/001069</b>	INTERNATIONAL FILING DATE <b>16 July 2003 (16.07.2003)</b>	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/521,524</b>
TITLE OF INVENTION COMPOSITION FOR CYTOKOMPATIBLE, INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND DELIVERING LIVE CELLS OR BIOLOGICALLY ACTIVE FACTORS		
APPLICANT(S) FOR DO/EO/US <b>BIO SYNTech CANADA, INC.; HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMANN, Michael; SERREQI, Alessio and SUN, Jun</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C..154(d)(4).</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10/521,524	PCT/CA2003/001069	701826-056360

## 20. Other items or information:

Exp. Mail Cert. EV653001477US; Letter to Examiner; COPY-International Search Report;  
COPY-References A1-A3, B1-B5, and C1-C11; and Return Receipt Postcard

The following fees have been submitted			CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....	\$300	\$		
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		\$		
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0			
All other situations.....	\$200			
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))		\$		
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....	\$100			
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....	\$400			
All other situations.....	\$500			
<b>TOTAL OF 21, 22 and 23 =</b>		<b>0.00</b>		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
- 100 =	/50 =		x \$250	\$ 0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$ 50	\$
Independent claims	- 3 =		x \$200	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			<b>\$ 0.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.				0.00
<b>SUBTOTAL =</b>			\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			+ \$	0.00
<b>TOTAL NATIONAL FEE =</b>			<b>\$ 0.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+ \$	0.00
<b>TOTAL FEES ENCLOSED =</b>			<b>\$ 0.00</b>	
			Amount to be refunded:	\$
			Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David S. Resnick  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110-2131  
US



SIGNATURE

David S. Resnick

NAME

34,235

REGISTRATION NUMBER

Rec'd PCT/PW 20 SEP 2005  
#4

Practitioner's Docket No. 701826-056360

PATENT

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

TITLE OF INVENTION: COMPOSITION FOR CYTOCOMPATIBLE,  
INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS  
FOR ENCAPSULATING AND DELIVERING LIVE CELLS  
OR BIOLOGICALLY ACTIVE FACTORS

APPLICANT FOR DO/US: BIO SYNTECH CANADA, INC.

INVENTORS FOR DO/US: HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN,  
Michael; SERREQI, Alessio; and SUN, Jun

U.S. SERIAL NO.: 10/521,524

CERTIFICATE OF MAILING

I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. EV 653001477 US in an envelope addressed to MAIL STOP PCT, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

Date: September 20, 2005

Linda M. Ginsberg

MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER TO EXAMINER

On January 18, 2005, Applicants filed the application under 35 U.S.C. 371 in the United States Designated/Elected Office for the above-referenced international application. Enclosed herewith please find:

1. Executed Declaration and Power of Attorney (5 pp.);
2. Information Disclosure Statement and Forms PCT/SB/08a and b (4 pp.);
3. COPY-International Search Report (4 pp.); and
4. COPY-References A1-A3; B1-B5; and C1-C11.

Applicants note that the surcharge for furnishing the oath or declaration late was previously paid with the January 18, 2005 national entry. Accordingly, Applicants believe that no fee is due at this time.

Please charge any fees that may be due in connection with this matter to Deposit Account No. 50-0850.

## IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

TITLE OF INVENTION:

COMPOSITION FOR CYTOKOMPATIBLE, INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND DELIVERING LIVE CELLS OR BIOLOGICALLY ACTIVE FACTORS

APPLICANT FOR DO/US:

BIO SYNTech CANADA, INC.

INVENTORS FOR DO/US:

HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN, Michael; SERREQI, Alessio; and SUN, Jun

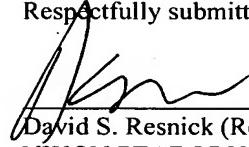
U.S. SERIAL NO.:

10/521,524

Please contact the undersigned if any additional information is needed.

Date: September 10, 2005

Respectfully submitted,



David S. Resnick (Reg. No. 34, 235)  
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100 Summer Street  
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Recd PCT/US 05 SEP 2005

PATENT

## IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

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**APPLICANT FOR DO/US:** BIO SYNTech CANADA, INC.

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**U.S. SERIAL NO.:** 10/521,524

**MAIL STOP PCT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

## EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 653001477 US

Date of Deposit September 20, 2005

I hereby state that the following *attached* paper or fee

1. Express Mail Certificate EV 653001477 US (1 pg.);
2. Form 1390 – page 3 in duplicate (4 pp.);
3. Letter to Examiner (2 pp.);
4. Executed Oath and Declaration (5 pp.);
5. COPY-International Search Report (4 pp.);
6. Information Disclosure Statement and Forms PCT/SB/08a and b (4 pp.);
7. COPY-References A1-A3; B1-B5; and C1-C11; and
8. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Linda M. Ginsberg

Signature of person mailing paper or fee